

Fill in this information to identify your case:

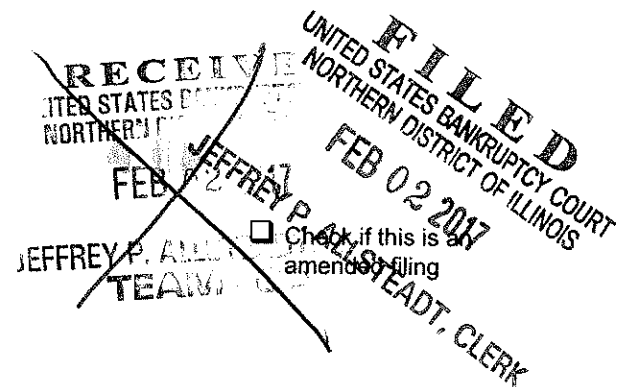
United States Bankruptcy Court for the:

Northern District of Illinois

Case number (if known):

Chapter you are filing under:

- ☒ Chapter 7  
☐ Chapter 11  
☐ Chapter 12  
☐ Chapter 13



## Official Form 101

# Voluntary Petition for Individuals Filing for Bankruptcy

12/15

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, “Do you own a car,” the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

### Part 1: Identify Yourself

#### About Debtor 1:

#### About Debtor 2 (Spouse Only in a Joint Case):

#### 1. Your full name

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Bring your picture identification to your meeting with the trustee.

BRYAN

First name

R

Middle name

Smjetanski

Last name

Suffix (Sr., Jr., II, III)

First name

Middle name

Last name

Suffix (Sr., Jr., II, III)

#### 2. All other names you have used in the last 8 years

Include your married or maiden names.

First name

Middle name

Last name

First name

Middle name

Last name

First name

Middle name

Last name

First name

Middle name

Last name

#### 3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)

XXX

—

XX

—

1

2

7

9

OR

9 XX

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XX

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XXX

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XX

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OR

9 XX

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XX

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Debtor 1

BRYAN

R

Smietanski

First Name

Middle Name

Last Name

Case number (if known)

About Debtor 1:

4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years

Include trade names and doing business as names

☐ I have not used any business names or EINs.

Business name

Business name

EIN

EIN

About Debtor 2 (Spouse Only in a Joint Case):

☐ I have not used any business names or EINs.

Business name

Business name

EIN

EIN

5. Where you live

850 FRONT STREET

Number Street

UNIT 2 C

Lisle, IL

City

60532

State ZIP Code

DUPAGE

County

If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.

Number Street

P.O. Box

City

State ZIP Code

If Debtor 2 lives at a different address:

Number Street

City

State ZIP Code

County

If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.

Number Street

P.O. Box

City

State ZIP Code

6. Why you are choosing this district to file for bankruptcy

Check one:

☒ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

☐ I have another reason. Explain.  
(See 28 U.S.C. § 1408.)

Check one:

☐ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

☐ I have another reason. Explain.  
(See 28 U.S.C. § 1408.)

Debtor 1

BRYAN R Smietanski  
First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**Part 2: Tell the Court About Your Bankruptcy Case**

**7. The chapter of the Bankruptcy Code you are choosing to file under**

Check one. (For a brief description of each, see *Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy* (Form 2010)). Also, go to the top of page 1 and check the appropriate box.

- ☒ Chapter 7  
☐ Chapter 11  
☐ Chapter 12  
☐ Chapter 13

**8. How you will pay the fee**

☐ I will pay the entire fee when I file my petition. Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.

☐ I need to pay the fee in installments. If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).

☒ I request that my fee be waived (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.

**9. Have you filed for bankruptcy within the last 8 years?**

☒ No  
☐ Yes.

|                |                |                   |
|----------------|----------------|-------------------|
| District _____ | When _____     | Case number _____ |
|                | MM / DD / YYYY |                   |
| District _____ | When _____     | Case number _____ |
|                | MM / DD / YYYY |                   |
| District _____ | When _____     | Case number _____ |
|                | MM / DD / YYYY |                   |

**10. Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?**

☒ No  
☐ Yes.

|                             |                           |
|-----------------------------|---------------------------|
| Debtor _____                | Relationship to you _____ |
| District _____              | When _____                |
|                             | MM / DD / YYYY            |
| Case number, if known _____ |                           |
| Debtor _____                | Relationship to you _____ |
| District _____              | When _____                |
|                             | MM / DD / YYYY            |
| Case number, if known _____ |                           |

**11. Do you rent your residence?**

☐ No. Go to line 12.

(BS) ☒ Yes. Has your landlord obtained an eviction judgment against you and do you want to stay in your residence?

(BS) ☒ No. Go to line 12.

☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it with this bankruptcy petition.

Debtor 1

BRYAN R Smietanski  
First Name Middle Name Last Name

Case number (if known)

**Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling**

**15. Tell the court whether you have received a briefing about credit counseling.**

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

**About Debtor 1:**

*You must check one:*

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

- ☒ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ I am not required to receive a briefing about credit counseling because of:

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

**About Debtor 2 (Spouse Only in a Joint Case):**

*You must check one:*

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

- ☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

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- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

30 DAY WAIVER  
OF COUNSELLING

DUE TO:

I LIVE CHECK TO CHECK  
CAN'T AFFORD THE FEES FOR COUNSELLING  
AT THIS TIME

CONTACTED NV VISIONS COUNSELLING  
DOWNER GROVE IL 60515  
6912 MAIN STREET  
PHONE # 630-493-1100

"and ALSO"

WWW.BETTERDEBTORCC.ORG  
FOR ONLINE COURSE

ALSO CAPITAL ONE BANK IS TRAILING  
ME TO COURT TO GARNISH MY WAGES  
NEXT MONTH CASE # 11 SC 7251

I REALLY NEED THIS BANKRUPTCY

TX YW!  
Bn SA

JANUARY 30, 2017

Debtor 1

Bryan R Smietanski  
First Name Middle Name Last Name

Case number (if known)

**Part 6: Answer These Questions for Reporting Purposes**

16. What kind of debts do you have?

16a. Are your debts primarily consumer debts? Consumer debts are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

- ☐ No. Go to line 16b.  
☒ Yes. Go to line 17.

16b. Are your debts primarily business debts? Business debts are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.

- ☐ No. Go to line 16c.  
☐ Yes. Go to line 17.

16c. State the type of debts you owe that are not consumer debts or business debts.

17. Are you filing under Chapter 7?

☐ No. I am not filing under Chapter 7. Go to line 18.

Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?

- ☒ Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?  
☒ No  
☐ Yes

18. How many creditors do you estimate that you owe?

- ☒ 1-49  
☐ 50-99  
☐ 100-199  
☐ 200-999  
☐ 1,000-5,000  
☐ 5,001-10,000  
☐ 10,001-25,000  
☐ 25,001-50,000  
☐ 50,001-100,000  
☐ More than 100,000

19. How much do you estimate your assets to be worth?

- ☒ \$0-\$50,000  
☐ \$50,001-\$100,000  
☐ \$100,001-\$500,000  
☐ \$500,001-\$1 million  
☐ \$1,000,001-\$10 million  
☐ \$10,000,001-\$50 million  
☐ \$50,000,001-\$100 million  
☐ \$100,000,001-\$500 million  
☐ \$500,000,001-\$1 billion  
☐ \$1,000,000,001-\$10 billion  
☐ \$10,000,000,001-\$50 billion  
☐ More than \$50 billion

20. How much do you estimate your liabilities to be?

- ☒ \$0-\$50,000  
☐ \$50,001-\$100,000  
☐ \$100,001-\$500,000  
☐ \$500,001-\$1 million  
☐ \$1,000,001-\$10 million  
☐ \$10,000,001-\$50 million  
☐ \$50,000,001-\$100 million  
☐ \$100,000,001-\$500 million  
☐ \$500,000,001-\$1 billion  
☐ \$1,000,000,001-\$10 billion  
☐ \$10,000,000,001-\$50 billion  
☐ More than \$50 billion

**Part 7: Sign Below**

For you

I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

x Bryan R Smietanski

Signature of Debtor 1

Executed on JAN 30 2017  
MM / DD / YYYY

x

Signature of Debtor 2

Executed on \_\_\_\_\_  
MM / DD / YYYY

Debtor 1

Bryan R Smietanski  
First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**For your attorney, if you are represented by one**

**If you are not represented by an attorney, you do not need to file this page.**

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

**X**

\_\_\_\_\_  
Signature of Attorney for Debtor

\_\_\_\_\_  
Date

MM / DD / YYYY

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Firm name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP Code

\_\_\_\_\_  
Contact phone

\_\_\_\_\_  
Email address

\_\_\_\_\_  
Bar number

\_\_\_\_\_  
State

Debtor 1

BRYAN M Smietanski  
First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**For you if you are filing this bankruptcy without an attorney**

**If you are represented by an attorney, you do not need to file this page.**

The law allows you, as an individual, to represent yourself in bankruptcy court, but **you should understand that many people find it extremely difficult to represent themselves successfully. Because bankruptcy has long-term financial and legal consequences, you are strongly urged to hire a qualified attorney.**

To be successful, you must correctly file and handle your bankruptcy case. The rules are very technical, and a mistake or inaction may affect your rights. For example, your case may be dismissed because you did not file a required document, pay a fee on time, attend a meeting or hearing, or cooperate with the court, case trustee, U.S. trustee, bankruptcy administrator, or audit firm if your case is selected for audit. If that happens, you could lose your right to file another case, or you may lose protections, including the benefit of the automatic stay.

You must list all your property and debts in the schedules that you are required to file with the court. Even if you plan to pay a particular debt outside of your bankruptcy, you must list that debt in your schedules. If you do not list a debt, the debt may not be discharged. If you do not list property or properly claim it as exempt, you may not be able to keep the property. The judge can also deny you a discharge of all your debts if you do something dishonest in your bankruptcy case, such as destroying or hiding property, falsifying records, or lying. Individual bankruptcy cases are randomly audited to determine if debtors have been accurate, truthful, and complete. **Bankruptcy fraud is a serious crime; you could be fined and imprisoned.**

If you decide to file without an attorney, the court expects you to follow the rules as if you had hired an attorney. The court will not treat you differently because you are filing for yourself. To be successful, you must be familiar with the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the local rules of the court in which your case is filed. You must also be familiar with any state exemption laws that apply.

Are you aware that filing for bankruptcy is a serious action with long-term financial and legal consequences?

☐ No

☒ Yes

Are you aware that bankruptcy fraud is a serious crime and that if your bankruptcy forms are inaccurate or incomplete, you could be fined or imprisoned?

☐ No

☒ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out your bankruptcy forms?

☒ No

☐ Yes. Name of Person \_\_\_\_\_

Attach Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119).

By signing here, I acknowledge that I understand the risks involved in filing without an attorney. I have read and understood this notice, and I am aware that filing a bankruptcy case without an attorney may cause me to lose my rights or property if I do not properly handle the case.

x B. SA

Signature of Debtor 1

Date

JAN 30 2017  
MM / DD / YYYY

Contact phone

630-202-7560

Cell phone

630-202-7560

Email address

bsmretanski63@gmail.com

x

Signature of Debtor 2

Date

\_\_\_\_\_  
MM / DD / YYYY

Contact phone

Cell phone

Email address



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS

In Re: *BRYAN R Smietanski*

Debtor (s)

Case No.

Chapter

List of Creditors

|   |   |
|---|---|
| CAPITAL ONE \$2866.59<br>BLITTE GAINES ATTORNEY<br>661 GINN AVENUE #2225<br>WHEELING IL 60090<br>Phone 847-403-4900         | Lisle Woodredg Fire protection<br>PO Box 457<br>Wheeling IL 60090<br>\$5000 RVN # 16-202433                                 |
| TCF BANK -\$336.03<br>21972572<br>Acct # 4877205867<br>1-800 TCF BANK   | \$312.55 LINEN N-THINGS<br>PINNACLE credit services<br>Acct # 6036321028599525<br>7900 HIGHWAY 7 ST LOUIS PARK MN<br>\$5426 |
| ELMHURST PODIATRY \$200.00<br>277 N YORK STREET<br>ELMHURST IL 60126-2726<br>Acct # 6614A10870                              | CHARTER ONE BANK \$470.74<br>Acct # 8670249507<br>PORTFOLIO RECOVERY<br>120 CORPORATE BLVD SUITE 100<br>NORTH FOK VA 23502  |
| VS CELLULAR \$30000<br>Acct # 725217314   | KOHLS \$251.22<br>MILLWAUKEE WI 53201<br>Acct ending in 7700  |
| VERIZON WIRELESS \$457.81<br>Acct # 08859321850001<br>PINNACLE credit services<br>7900 HIGHWAY 7 ST LOUIS PARK MN<br>\$5426 | PUBLISHERS CLEARING HOUSE \$27.83<br>SD #02380902599<br>PO BOX 6344<br>HARLAN IA 51593-1844                                 |

Debtor 1

Document

Page 10 of 11

BRYAN RE SMITHANSKI

|   |  |
|---|--|
| PREMIER BANK CARD INC<br>3820 N LOUISE AVE<br>SIOX FALLS SD 57107<br># 434.64   | MERCHANT CREDIT GUIDEC<br>223 W JACKSON BLVD SUITE 410<br>CHICAGO IL 60606<br>(DUPAGE MEDICAL GROUP)<br>\$2100.00 ACCT # 285267557                 |
| \$2100.00 PRECISION ENDOVASCULAR<br>FIR # J104118<br>JAY L LEVY & ASSOCIATES<br>155 REVER DR. SUITE 2 NORTH BEND, MN 56062-1552                                     |  |
| UNITED COLLECTION BUREAU INC.<br>5620 South 4th BLVD SUITE 208<br>TOLEDO OHIO 43614<br>EDWARDS HOSPITAL<br>\$200.00 ACCT # 1001830726                               | DUPAGE MEDICAL GROUP<br>15921 COLLECTIONS CENTER DRIVE<br>CHICAGO IL 606930159<br>ACCT # 285267557<br>\$225.90 INVOICE # 60698013                  |
| ELMHURST HOSPITAL<br>ACCT # E0004840276<br>\$522.62   | MERCHANT CREDIT GUIDEC<br>223 W JACKSON BLVD SUITE 410<br>CHICAGO IL 60606<br>(DUPAGE MEDICAL GROUP)<br>\$667.21 ACCT # <del>1331815</del> 1331815 |
| VINCENT SOLANO JUNIOR (LAWYER)<br>4701 AVERGNE AVE SUITE 200<br>LITK FLL 60532<br>\$3500.00 PHONE 630-960-5800  | MERCHANT CREDIT GUIDEC<br>223 W JACKSON BLVD SUITE 410<br>CHICAGO IL 60606<br>DUPAGE MEDICAL GROUP<br>\$650.80 ACCT # 974530                       |
| MIDLAND CREDIT MANAGEMENT<br>SEARS GOLD CREDIT CARD<br>ACCT # 8529928482<br>\$977.83  |  |
| CALVARY PROFFOLLO SERVICES<br>PO BOX 27288 TEMPE AZ 85285-7288<br>HSBC BANK NEVADA M/MERIVANDE<br>ACCT # 600430010988715 STONE<br>\$2626.26 CALVARY ACCT # 17052584 |  |
| ASSET ACCEPTANCE, LLC<br>PO BOX 2036 WARREN MI 48090-2036<br>ASSET ACCT # 41631640<br>\$4542.08 CITI BANK<br>\$4542.08 (100) ACCT ENDING 5 4636                     |  |
| LISIE DENTAL<br>4712 MAIN STREET LITK IL<br>630-964-0944 60532<br>\$886.00 ACCT # 2703  |  |
| ARBOR HILL DENTAL<br>1001 OPEN AVE LITK IL<br>ACCT # 107900 60532<br>\$1521.00  |  |

Bryan Smietowski  
850 Front St. #2C  
Lisle, IL 60532  
630-202-7560

1/30/17

Re: Chapter 7

Attached is an original & one (1) copy of a Chapter 7 Rejected Petition.

I cannot afford the credit counseling at this time. www.betterdebt.org and will attend within the Court's guidelines.

Enclosed is a self-addressed stamped envelope for a return stamped copy of the Petition for me.

Bo St  
JAN 30, 2017